

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WILLIE B. GAINES, JR.

PLAINTIFF

V.

NO. 4:14-CV-00088-DMB-DAS

**EARNEST LEE; JONATHAN BREWER;
JOHNNIE RIAS; SHALONDA PAIN; RON
KING; MARSHALL TURNER; LT. KENJI
TERRY; LT. HANMAN; MS. NICKIE,
Medical Nurse; GLORIA PERRY; JOHN
HOCHBERG; MS. HARLMAND**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On September 22, 2014, United States Magistrate Judge David Sanders issued a Report and Recommendation recommending that “the plaintiff’s claim against Nurse ‘Ms. Nickie’ should proceed, and his claims against the remaining defendants should be dismissed for failure to state a claim upon which relief could be granted.” Doc. #13 at 5.

Having considered the file and records in this action, the court finds that the Report and Recommendation was duly served by mail upon the *pro se* plaintiff on September 30, 2014, Doc. #15; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The Report and Recommendation should therefore be approved and adopted as the opinion of the Court. It is ordered:

1. That the Report and Recommendation is hereby **APPROVED AND ADOPTED** as the opinion of the Court.
2. That all defendants except “Nurse Nickie” are **DISMISSED** from this suit for failure to state a claim upon which relief can be granted.

3. That the plaintiff's claims against "Nurse Nickie" for violation of his right to medical privacy will **PROCEED**.

SO ORDERED, this, the 26th day of November, 2014.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE